



08-03-06

AF

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

47+2=49

Application Number

09/877,729

Filing Date

6/8/00 & 6/8/01

First Named Inventor

FRANZ ANTONIO Wakefield

Art Unit

2174

Examiner Name

BORIS Pegin

Attorney Docket Number

083174

ENCLOSURES (Check all that apply)

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/
Incomplete ApplicationReply to Missing Parts
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____



Landscape Table on CD



After Allowance Communication to TC

Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify
below):

Remarks

This is an After Final Amendment For Allowance.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

FRANZ A. Wakefield of COOLTVNETWORK.COM, INC.

Signature

Printed name

FRANZ ANTONIO Wakefield

Date

8.01.06

Reg. No.

PRO Se

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

EXPRESS #: EQ 914877645 US

Typed or printed name

FRANZ ANTONIO Wakefield

Date

8/01/06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



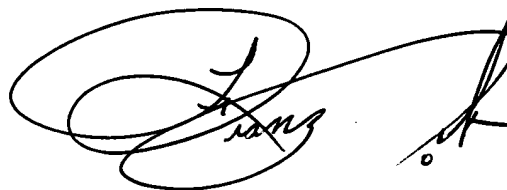
In The United States Patent and Trademark Office

Appn. Serial Number: 09/877,729
Appn. Filed: 2001 Jun. 8
Prov. Filed: 2000 Jun. 8
Prov. Serial Number: 60/210,300
Applicant: Franz A. Wakefield
Title: Method And System For Creating, Using And
Modifying Multifunctional Website Hotspots.
Examiner/GAU: Boris Pesin/2174

Miami, August 1, 2006

CLICKVIDEOSHOP™

**Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

 8.01.06

AFTER FINAL AMENDMENT

Sir:

**In response to the Office Action Mailed 2006 June 06, and our telephonic
communication(s)/conference(s), please see below.**

Seal

Telephonic Communication(s): Interview Summaries
--

Date of Interview: June 14, 2006 at 2:00 PM Eastern.

Type: Telephonic.

Exhibit Shown: No.

Definite Claims discussed: 1-20.

Identification of prior art discussed: 1. Vanechanos, Jr. (US 5884309).
2. Rothmuller, Michael US-6,075,526 A.

Agreement with respect to the claims: Yes.

- TELEPHONIC INTERVIEW.

Substance of Interview: Pro Se Applicant "WAKEFIELD" and The Examiner Mr. Boris Pesin, discussed the Detailed Office Action mailed on June 6, 2006. The telephonic interview was from 2:00 P.M. Eastern to 2:30 P.M. Eastern.

- ISSUE ONE.

As "WAKEFIELD" is the ONLY inventor of CLICKVIDEOSHOP™ "WAKEFIELD" inquired to The Examiner about the statement on page 4 which states:

"The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention."

The Examiner, stated to "WAKEFIELD" that the statement was a preset form or template regarding the rejection under 35 U.S.C. § 112.

- ISSUE TWO.

"WAKEFIELD" brought it to the attention of The Examiner that the objection (under 35 U.S.C. § 102(b)) for claim 8 as it pertains to being anticipated by Rothmuller (US 6075526) may be inappropriate based on the date of invention of CLICKVIDEOSHOP™ as opposed to the date of filing and the date of issue of the Rothmuller patent. The Examiner, made reference to the divisional application filed on February 13, 2006; but also stated that he would have to check

the specification of the divisional application to determine whether there is ground for the rejection as stated under 35 U.S.C. § 102(b)).

- **ISSUE THREE.**

“WAKEFIELD” also brought to the attention of The Examiner that the rejection under 35 U.S.C. § 112 as not setting “...forth the best mode contemplated by [“WAKEFIELD” for] carrying out his invention[;]” as it is stated on page 5:

“A storage, retrieval, and modification-area apparatus...A set of processed or readable instructions...for separating digital video and digital audio files in and from digital media and means defined to facilitate the separation of digital video and digital audio...These limitations are not in the specification as originally filed.”

has sufficient evidence within the specification which defines the BEST MODE for carrying out this limitation as it is defined by claim (8) and is described in such a way that provides a continuous flow of how claim (8) would be used in conjunction with CLICK VIDEO SHOP™ (CVSSW™). “WAKEFIELD” expressed that the limitations as defined by claim (8) are within the specification as originally filed, and that he would extract and present such evidence as a part of his amendment after final.

- **ISSUE FOUR.**

“WAKEFIELD” and The Examiner discussed the Claim Objections which form the substance of the Detailed Office Action mailed on June 6, 2006. “WAKEFIELD” and The Examiner were able to come to a compromise regarding what amendments to the claims would render the patent application allowable without need for further argument, search, and prosecution. The Examiner, expressed that he would have to also review the flow of the method claim (claim (2)) as these types of claims are worded somewhat differently than apparatus and software application claims. “WAKEFIELD” will suggest and allow The Examiner the authority to correct and make suggestions regarding said flow and wording of the proposed changes to the claims; which will be sent to The Examiner prior to a formal After Final Amendment submission to The United States Patent and Trademark Office.

“WAKEFIELD” and The Examiner Boris Pesin, agreed in the telephonic communication on June 14, 2006, that if all the issues are addressed in an After Final Amendment that an allowance will be GRANTED.

Date of Interview: June 30, 2006 from 2:00 – 2:45 PM.
Type: Telephonic.
Exhibit Shown: No.
Definite Claims discussed: 1-20.
Identification of prior art discussed: 1. Rothmuller, Michael US-6,075,526 A.
Agreement with respect to the claims: Yes.

• **TELEPHONIC INTERVIEW.**

Substance of Interview: “WAKEFIELD” and The Examiner discussed a Proposed After Final Amendment that was submitted by “WAKEFIELD” in response to The Detailed Office Action mailed on June 6, 2006. The Examiner pointed out an informality with claim (8) with stating “when a Multifunctional Hot Spot...” as opposed to correctly stating “when said Multifunctional Hot Spot...”

The Examiner stated that the text should be taken out of the canceled claims (13) and (17). The Examiner proposed a correction to claim (20) to capture the nature of claim (20) being a software application claim (See amended claim (20)). The Examiner stated that he would check the proposed change with Mr. Steve Sax.

The Examiner stated that he would check the validity of the divisional application of Rothmuller, Michael US-6,075,526 A, regarding dates of invention an possible anticipation by Rothmuller, Michael US-6,075,526 A as it is referenced as a source of rejection of claim (8).

“WAKEFIELD” pointed out item (11)–page 7 lines 7 – 17 of the spec., in the evidence from the specification that proves the limitation of claim (8) as it is objected to by The Examiner.

Date of Interview: July 17, 2006.

Type: Telephonic.

Exhibit Shown: No.

Definite Claims discussed: 1, 2, and 18 (Clean Version).

Identification of prior art discussed: Not Applicable.

Agreement with respect to the claims: Yes.

• TELEPHONIC INTERVIEW.

Substance of Interview: Pro Se Applicant "WAKEFIELD" and The Examiner Mr. Boris Pesin, discussed the changes necessary for The Allowance of The ClickVideoShop™ Software Patent. The changes were affirmed, and decided on between The Examiner, Mr. Boris Pesin, and The Primary Examiner Mr. Steve Sax. In the July 17, 2006 telephonic interview "WAKEFIELD" agreed to the changes to the claims (1), (2), and (18) as suggested by The Examiner and The Primary Examiner, to facilitate an allowance.

APPLICANT RESPONSE : To Detailed Office Action

This communication is responsive to a Detailed Office Action mailed by The USPTO on 06/06/2006. In the section of this response below detailing The Claim Amendments; Claims 1 – 20 are pending in this application. Claims 1, 2, and 20 are independent claims. Within this Response Applicant "WAKEFIELD" has AMENDED CLAIMS 1, 2, 8, 18, and 20. CLAIMS 13 and 17 are CANCELED. CLAIMS 3, 4, 5, 6, 7, 9, 10, 11, 12, 14, 15, 16, and 19 are ORIGINAL.

In light of the fact that The Examiner has considered the arguments presented in the March 20, 2006 submission, but said arguments were moot in view of the new ground(s) of rejection; Pro Se Applicant "WAKEFIELD" resubmits his arguments, relies on his 7 January 2005 AFFIDAVIT and its' EXHIBITS, and addresses the new ground(s) of rejection, to support ALL CLAIMS and to facilitate an allowable patent application. (See. "Clean Version" Listing Below, and the application: "Method And System For Creating, Using And Modifying Multifunctional Website Hotspots;" including said asserted dates of conception, diligence, and reduction to practice—both actual and constructive.)
